

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Louis Frank Avolio

Case No.: 13-11282-ABA

Adv. No.: 13-01933-ABA

Chapter: 13

Hearing Date: December 18, 2014

Judge: Andrew B. Altenburg, Jr.

FRT 2011-1 Trust, Plaintiffs

v.

Gibraltar Financial Services, Defendant.

**ORDER DENYING MOTION FOR SUMMARY JUDGMENT
AND CROSS-MOTION FOR SUMMARY JUDGMENT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

FRT 2011-1 Trust v. Gibraltar Financial Services

Case No.: 13-11282

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Page | 2

THIS MATTER having originally come before the court by FRT 2011-1 Trust's ("FRT") Motion for Summary Judgment against Gibraltar Financial Services ("Gibraltar") filed by and through its counsel Brian C. Nicholas, Esquire of Zucker, Goldberg & Ackerman, LLC, *see Document #18*, and Gibraltar having filed a Cross-Motion for Summary Judgment by and through its counsel Chad M. Sherwood, Esquire of the Law Office of Chad M Sherwood, LLC, *see Document #28*, and a hearing having been held on these issues on December 18, 2014 (the "December 18th Hearing") at which time the parties appeared and stated their cases, and for the reasons set forth on the record, and for good cause shown; it is

ORDERED that FRT's Motion for Summary Judgment is hereby **DENIED**.

IT IS FURTHER ORDERED that Gibraltar's Cross-Motion for Summary Judgment is hereby **DENIED**.

The court reserves the right to revise its findings of fact and conclusions of law.